

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CHARLES LANGONE, as FUND MANAGER)
of the NEW ENGLAND TEAMSTERS AND)
TRUCKING INDUSTRY PENSION FUND)

Plaintiff,)

v.)

LINDEN MOTOR FREIGHT CO., INC.)

Defendant,)
_____)

C.A. No.04cv11734 RGS

MOTION TO EXTEND TIME TO TAKE ACTION OF THE NOTICE OF DEFAULT

NOW COMES, the Plaintiff and moves this Court to grant Plaintiff an extension of thirty (30) days to respond to the Notice of Default issued on November 8, 2004. This is an action for collection of delinquent withdrawal liability pursuant to the Employee Retirement Income Security Act of 1974 ("ERISA"), 29 U.S.C. §1001, *et seq.*, as amended by the Multi-Employer Pension Plan Amendments Act, 29 U.S.C. §1381 *et. seq.* The Standing Order requires necessary and appropriate action to be taken by Plaintiff within thirty days of the Notice. Plaintiff requests an extension to January 8, 2005.

The basis for the requested extension is stated in the attached Affidavit of Plaintiff's Counsel, Catherine M. Campbell.

Dated: December 6, 2004

Respectfully submitted,

Catherine M. Campbell
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/s/ Catherine M. Campbell
Attorney for Plaintiff